IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Bhagirath. Versus State of Rajasthan.

S.B. Criminal Misc. Petition No. 50/2006
for quashing the FIR No.81/1993, Police Station, Bajju, district Bikaner.

...

Date of Order: September 15, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. H.S. Shrimali, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

BY THE COURT:

By the instant criminal miscellaneous petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 81/1993, Police Station, Bajju, district Bikaner, for the offence under Section 3/25 of the Arms Act.

I have heard learned counsel for the parties.

Learned counsel for the petitioner submits that some of the accused, who were arrested after trial have been acquitted.

From a perusal of the FIR, it appears that the illegal pistol and ten live cartridges were allegedly given by the present petitioner to the other co-accused and the investigation under

Section 173 (8) Cr.P.C. is pending against the petitioner. Keeping in view the serious allegations in the FIR, more particularly in a case where huge quantity of illegal arms of various marks have been recovered, I do not consider it to be a fit case for quashing the FIR.

The criminal miscellaneous petition is, therefore, dismissed. The stay petition also stands dismissed.

(H.R. PANWAR), J.

mcs